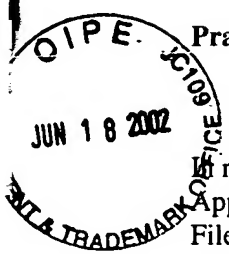


#4



Practitioner's Docket No. 0081.02

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Where application of: Albayrak, Celal

Application No.: 10/028,258

Group No.: Unknown

Filed: December 19, 2001

Examiner: Unknown

For: INDUCED PHASE TRANSITION METHOD FOR THE PRODUCTION OF  
MICROPARTICLES CONTAINING HYDROPHOLIC ACTIVE AGENT

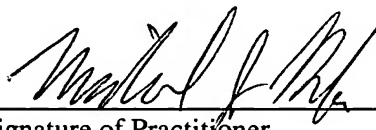
Assistant Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

Date: 3/25/02

  
\_\_\_\_\_  
Signature of Practitioner

Reg. No.: 38,740  
Tel. No.: 650-631-5053  
Customer No.: 21968

Michael J. Rafa  
Inhale Therapeutic Systems, Inc.  
150 Industrial Road  
San Carlos, CA 94070  
U.S.A.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

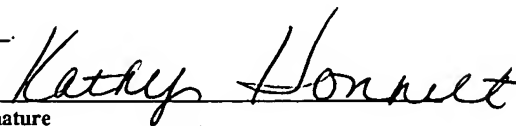
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Date: 3/25/02

  
\_\_\_\_\_  
Signature  
Kathy Honnert  
(type or print name of person certifying)



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Albayrak

) Atty Docket No.: 0081.02

) Examiner: Unknown

Application No. 10/028,258

) Group Art Unit: Unassigned

Filed: 12/19/01

Title: INDUCED PHASE TRANSITION  
METHOD FOR THE PRODUCTION  
OF MICROPARTICLES CONTAINING  
HYDROPHILIC ACTIVE AGENTS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on March 25, 2002

Signed: Kathryn Honnert

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56, §1.97 and §1.98**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

The references listed in the attached PTO Form 08A and 08B may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56, 1.97, and 1.98. The Examiner is requested to make these citations of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

Copies of the references are enclosed, as required under 37 CFR §§1.98. The references on the attached Form 1449 identified by an asterisk (\*) were previously cited by or submitted to the PTO in a prior application relied upon for an earlier filing date. Accordingly, in compliance with 37 CFR §§1.98 (d), copies of these references have not been provided.

Attorney Docket No. 0081.02

This Information Disclosure Statement is being timely filed under 37 CFR §§1.97 and is being filed:

- ☒ within three months of the filing date of a national application; within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or before the mailing date of a first Office action on the merits (whichever event occurs last);
- ☐ more than three months from the filing date of an application and after the mailing date of a first Office action on the merits, but before the mailing date of either a final action under section 1.113 or a notice of allowance under section 1.311 (whichever occurs first), and is accompanied by:
- ☐ the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00); or
  - ☐ one of the following statements as specified in 37 CFR 1.97(e) that:
    - ☐ each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
    - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in section 1.56(c) more than three months prior to the filing of the information disclosure statement; or
- ☐ after the mailing date of either a final action under section 1.113 or a notice of allowance under section 1.311, but on or before the payment of the issue fee, and is accompanied by each of:
- ☐ the following petition:

Applicant hereby requests consideration of the accompanying information disclosure statement;
  - ☐ the petition fee set forth in 37 CFR 1.17(i) (\$130.00); and
  - ☐ one of the following statements as specified in 37 CFR 1.97(e) that:
    - ☐ each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three

months prior to the filing of the information disclosure statement; or

☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in section 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ Attached is Check No. \_ in the amount of \$0.

☐ Please charge the amount of \$\_\_\_ to Deposit Account 500348

☒ If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500348

Respectfully submitted,

INHALE THERAPEUTIC, INC.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Michael J. Rafa  
Reg. No. 38,740

San Carlos, CA 94070  
(650) 631-3100